



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

APPLICATION GRANTED

SO ORDERED *Vern Bro*

VERNON S. BRODERICK

U.S.D.J. 10/24/2018

Via ECF

The Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *New York Times and Julie Turkewitz v. United States Department of the Interior*,
No. 17 Civ. 9883 (VSB)

Dear Judge Broderick:

This Office represents the Department of the Interior (“DOI”) in the above-referenced action brought pursuant to the Freedom of Information Act (“FOIA”) for records concerning Bears Ears National Monument. On behalf of the parties and in accordance with the Court’s September 24, 2018, endorsement of the parties’ previous status letter, I write respectfully to provide the Court with a further status update in this matter.

The parties conferred by telephone on October 11, 2018. At that time, DOI provided plaintiffs with the following information regarding the total number of collected records concerning national monuments and estimated number of outstanding pages discussing Bears Ears National Monument that may be responsive to plaintiffs’ FOIA request.

Based on DOI’s preliminary searches, DOI has identified approximately 650,000 pages of additional documents that may concern the Department of the Interior’s review of certain national monument designations pursuant to Executive Order 13792. Of those, it is estimated that approximately 148,414 pages mention Bears Ears National Monument. However, as discussed at greater length during the parties’ telephone call, DOI believes that its searches were significantly overbroad and that many of these identified documents are not, in fact, responsive to plaintiffs’ FOIA request. DOI is in the process of refining its search terms so as to more accurately identify documents that are likely to be responsive to plaintiffs’ FOIA request. DOI intends to confer further with plaintiffs’ about the estimated number of potentially responsive records as DOI continues to refine its search parameters.

The parties respectfully propose that they submit a subsequent status letter in 60 days.

We thank the Court for its consideration of this request.

Respectfully submitted,

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United States Attorney for the
Southern District of New York

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